

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 20 – 94

Resolution to Set Hearing on Board of Viewers' Report for Abandonment of Certain Roads in West Meadows Subdivision

WHEREAS, pursuant to Sections 7-14-2101, 7-14-2102 and 7-14-2103 of the Montana Code Annotated, a board of county commissioners has the authority to manage county roads within the county. Pursuant to Section 7-14-2615 of the Montana Code Annotated, a board of county commissioners has the authority to abandon a county road after a public hearing.

WHEREAS, Blue Still Circle, White Pine Circle, West Bird Way, Zanes Circle and Vescue Way are dedicated unconstructed roads within Yellowstone County. West Meadows Subdivision, October 16, 2007, Doc. No. 3442199. The Yellowstone County Board of County Commissioners has the authority to manage the roads, including the authority to abandon the roads. On June 18, 2020, the Board received a petition to abandon Blue Still Circle, White Pine Circle, West Bird Way, Zanes Circle and a portion of Vescue Way. Jerry Kruchensky, the owner of the lots that abut the roads, wants the Board to abandon the roads to reconfigure the lots to aggregate the roads into the lots. Kruchensky wants to replat the land and reconfigure the lots and roads. The Board reviewed the petition. The petition appeared legally sufficient to appoint a Board of Viewers to investigate the proposed abandonment. On 15 September 2020, the Board appointed a Board of Viewers. On 2 December 2020, the Board of Viewers submitted a report on the proposed abandonment. **Exhibit 1 – Report**. The Board of Viewers' Report recommended that the Board abandon the roads with conditions.

NOW THEREFORE, BE IT RESOLVED,

The Yellowstone County Board of County Commissioners shall on 22 December 2020, at 9:30 a.m., in Room 3108 of the Stillwater Building located at 316 North 26th Street in Billings, Montana, hold a public hearing on the petition to abandon certain roads in West Meadows Subdivision. At the hearing, the Board shall receive comments on the proposed abandonment and consider the Board of Viewers' Report and any comments on the proposed abandonment. After the hearing, the Board may abandon the roads. If the Board believes that it is in the best interest of the public to abandon the roads, it shall pass a resolution of intent to abandon the roads with conditions. Once Jerry Kruchensky has satisfied the conditions, the Board shall pass a resolution that abandons the roads. If the Board believes it is not in the best interest of the public to abandon the roads, it shall pass a resolution not to abandon the roads. The Board orders the Yellowstone County Clerk and Recorder to provide notice of the hearing, to receive written comments on behalf of the Board and to forward the comments on to the Board before the hearing.

Passed and Adopted on the 8th day of December 2020.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

Denis Pitman, Chair

Donald W. Jones, Member

John Ostlund, Member

ATTEST:

Jeff Martin, Clerk and Recorder